

IN THE TITLE:

Change the title from "SYSTEM FOR TRACKING END-USER ELECTRONIC CONTENT USAGE" to --A METHOD AND APPARATUS TO INDICATE AN ENCODING STATUS FOR DIGITAL CONTENT--.

IN THE SPECIFICATION:

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As requested in paragraph 6 of the accompanying request for filing a divisional application, please amend the specification by inserting before the first line: --This is a divisional of application Serial No. 09/177,096, filed October 22, 1998, now ____, which is a continuation-in-part of application Serial No. 09/133,519, filed August 13, 1998, now ____. The entire disclosure of prior application Serial No. 09/177,096 is herein incorporated by reference.--

Additionally, please delete from the table on page 2 the row beginning with "SE9-98-016".

IN THE ABSTRACT:

Please substitute the attached substitute abstract for the abstract that was originally filed.

IN THE CLAIMS:

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As requested in paragraph 5 of the accompanying request for filing a divisional application, please cancel claims 2-44.

Please also cancel claim 1.

Please add new claims 45-78 as follows:

B1 sent-45. A method of determining an encoding rate for digital content, the method comprising the steps of:

encoding a selected sample of digital content for a predetermined period of time; and
calculating an encoding rate using the selected sample and the predetermined period of time.--

--46. The method as defined in claim 45, further comprising the step of displaying the encoding rate during the encoding of the digital content.--

--47. The method as defined in claim 45, further comprising the steps of:
storing the encoding rate; and
associating the encoding rate with a specific encoding bit rate and a specific encoding algorithm.

--48. The method as defined in claim 46, wherein the step of displaying the encoding rate includes displaying the percentage of digital content encoded as compared to the total amount of digital content to be encoded.--

--49. The method as defined in claim 46, wherein the step of displaying the encoding rate includes displaying the amount of time remaining to encode the total amount of digital content to be encoded.--

--50. A method of determining an encoding rate for digital content, the method comprising the steps of:

retrieving a previously calculated encoding rate;
encoding digital content;
calculating a current encoding rate for the encoding of the digital content; and
updating the previously calculated encoding rate using the current encoding rate.--

--51. The method as defined in claim 50, wherein the step of retrieving a previously calculated encoding rate corresponds to a specific encoding bit rate and a specific encoding algorithm.--

--52. The method as defined in claim 50, further comprising the step of using the previously calculated encoding rate for displaying the encoding rate during the encoding of the digital content.--

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--53. The method as defined in claim 50, wherein the step of updating the previously calculated encoding rate includes the sub-steps of:

averaging the previously calculated encoding rate and the current encoding rate; and
storing the average encoding rate as a new value for the previously calculated encoding rate.--

--54. The method as defined in claim 50, wherein the step of updating the previously calculated encoding rate includes the sub-steps of:

averaging the previously calculated encoding rate and the current encoding rate; and
storing the average encoding rate as a new value for the previously calculated encoding rate if the encoding rate does not deviate from the previously calculated encoding rate by a configured threshold.

--55. The method as defined in claim 53, wherein the sub-step of storing the average encoding rate includes associating the previously calculated encoding rate with a specific encoding bit rate and a specific encoding algorithm.--

--56. The method as defined in claim 50, further comprising the step of displaying the encoding rate during the encoding of the digital content.--

--57. A method of determining an encoding rate for digital content, the method comprising the steps of:

encoding a selected sample of digital content; and
calculating an encoding rate using a selected sample size and the amount of time it took to encode the selected sample.--

--58. A system for determining an encoding rate for digital content, the system comprising:
a receiver for receiving digital content to be encoded;

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an encoder for encoding a selected sample of the digital content for a predetermined period of time; and

means for calculating an encoding rate using the selected sample of digital content and the predetermined period of time.--

--59. The system as defined in claim 58, further comprising a display for displaying the encoding rate during the encoding of the digital content.--

--60. The system as defined in claim 58, further comprising:

storage for storing the encoding rate; and

means for associating the encoding rate with a specific encoding bit rate and a specific encoding algorithm.

--61. The system as defined in claim 59, further comprising means for displaying the percentage of digital content encoded as compared to the total amount of digital content to be encoded.--

--62. The system as defined in claim 59, further comprising means for displaying the amount of time remaining to encode the total amount of digital content to be encoded.--

--63. A system for determining an encoding rate for digital content, the system comprising:
means for retrieving a previously calculated encoding rate;
an encoder for encoding digital content;
means for calculating a current encoding rate of the encoding of the digital content; and
means for updating the previously calculated encoding rate based on the current encoding rate.--

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--64. The system as defined in claim 63, wherein the means for retrieving a previously calculated encoding rate includes means for associating the previously calculated encoding rate with a specific encoding bit rate and a specific encoding algorithm.--

--65. The system as defined in claim 63, further comprising a display for displaying the encoding rate during the encoding of the digital content using the previously calculated encoding rate.--

--66. The system as defined in claim 63, wherein the means for updating the previously calculated encoding rate comprises:
means for averaging the previously calculated encoding rate and the current encoding rate; and
storage for storing the previously averaged encoding rate as the previously calculated encoding rate.--

--67. The system as defined in claim 63, wherein the means for updating the previously calculated encoding rate comprises:
means for averaging the previously calculated encoding rate and the current encoding rate if the current encoding rate does not deviate from the previously calculated encoding rate by the configured threshold; and
storage for storing the previously averaged encoding rate as the previously calculated encoding rate.--

--68. The system as defined in claim 66, wherein the storage includes means for associating the previously calculated encoding rate with a specific encoding bit rate and a specific encoding algorithm.---

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--69. The system as defined in claim 65, wherein the display includes means for displaying the percentage of digital content encoded as compared to the total amount of digital content to be encoded.--

--70. The system as defined in claim 65, wherein the display includes means for displaying the amount of time remaining to encode the total amount of digital content to be encoded.--

--71. A system for determining an encoding rate for digital content, the system comprising:
a receiver for receiving digital content to be encoded;
an encoder for encoding a selected sample size of the digital content; and
means for calculating an encoding rate using the selected sample size of digital content and the period of time it took to encode the selected sample size of digital content.--

--72. A computer readable medium containing program instructions for determining an encoding rate for digital content, the program instructions comprising instructions for:
encoding a selected sample of digital content for a predetermined period of time; and
calculating an encoding rate using the selected sample and the predetermined period of time.--

--73. The computer readable medium in claim 72 further comprising the instruction for:
encoding a selected sample of digital content for a predetermined period of time; and
calculating an encoding rate using the selected sample and the predetermined period of time.--

--74. The computer readable medium in claim 72 further comprising the instruction for displaying the encoding rate during the encoding of the digital content.--

--75. The computer readable medium in claim 72 further comprising the instruction for:
storing the encoding rate; and

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associating the encoding rate with a specific encoding bit rate and a specific encoding algorithm.

--76. The computer readable medium in claim 74, wherein the instruction for displaying the encoding rate includes displaying the percentage of digital content encoded as compared to the total amount of digital content to be encoded.--

--77. The computer readable medium in claim 74, wherein the instruction for displaying the encoding rate includes displaying the amount of time remaining to encode the total amount of digital content to be encoded and displaying the amount of time remaining to encode the total amount of digital content to be encoded.--

--78. A computer readable medium containing program instructions for determining an encoding rate for digital content, the program instructions comprising instructions for:
encoding a selected sample of digital content; and
calculating an encoding rate using a selected sample size and the amount of time it took to encode the selected sample.--

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